

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WENDY CHEATHAM,
Plaintiff,

vs.

CAROLYN COLVIN, Acting
Commissioner, Social Security
Administration,
Defendant.

Case No.: 3:14-CV-00135-RCJ-VPC

ORDER

On November 17, 2014, United States Magistrate Judge Cooke entered the Order Concerning Review of Social Security Cases (ECF #17). The Order provided notice that “Failure of a party to file a motion for points and authorities required by the order may result in dismissal of the action or reversal of the decision of the Secretary of Health and Human Services, as may be appropriate.” Plaintiff has failed to comply with the Order within the allotted time.

On April 28, 2015, the Court entered Order (ECF #18), Plaintiff shall have thirty (30) days, or until **FRIDAY, May 29, 2015**, to comply with the Court’s Order (ECF #17). Plaintiff has failed to comply with the Order within the allotted time.

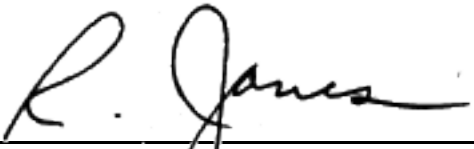
“Before dismissing the action, the district court is required to weigh several factors: (1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (internal citations and quotations omitted). All five factors point in favor of dismissal.

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1 Plaintiff has failed to show good cause why this action should not be dismissed without
2 prejudice for failure to comply with Court Orders (ECF ##17 & 18). Accordingly,

3 IT IS HEREBY ORDERED that this action is DISMISSED without prejudice for Plaintiff's
4 failure to comply with the Court Orders (ECF ##17 & 18). The Clerk of the Court shall enter judgment
5 accordingly and close the case.

6 DATED this 1st day of June, 2015.

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10 ROBERT C. JONES
11 District Judge
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